

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

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In re:

BKY No. 10-51280

Chapter 7

Stephen John and Donna Lorraine Wiczek,

Debtors.

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**APPLICATION FOR APPROVAL OF EMPLOYMENT OF ATTORNEY**

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1. Applicant is the Trustee in this case.
2. Applicant believes that the employment of an attorney is necessary to represent or assist the Trustee in carrying out the Trustee's duties as follows: represent the Trustee in the adversary proceeding of *Terri A. Running vs. Wiczek, et al. (Adv. No. 11-5006)*. Applicant will substitute as counsel for the Trustee's current counsel.
3. Matthew R. Burton and Leonard, O'Brien, Spencer, Gale & Sayre, Ltd., 100 South Fifth Street, Suite 2500, Minneapolis, MN 55402 are qualified by reason of practice and experience to render such representation or assistance.
4. Proposed compensation and reimbursement of expenses is as follows: \$190-\$395 per hour plus expenses.
5. Said professional has disclosed to the undersigned that he has the following connections with the debtor(s), creditors, or any other party-in-interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the Office of the United States Trustee: None, except (a) Terri A. Running is the Trustee in this case; (b) the Firm represents the Trustee and other panel trustees in unrelated matters and (c) Brian Leonard of LOSGS is a panel trustee. Further, the Firm has represented creditor Textron Financial Corporation in the past in matters unrelated to this proceeding.
6. The Trustee has made the following efforts to recover the asset prior to submitting this Application: conducted Section 341 meeting, reviewed Debtors' records and commenced an adversary proceeding against Debtors.

Wherefore, applicant requests that the Court approve such employment by the Trustee.

Dated: March 10, 2011

/e/ Terri A. Running  
Terri A. Running, Trustee  
Trustee in Bankruptcy  
P.O. Box 583454

Minneapolis, MN 55458

(612) 279-2660

(612) 279-2666 *Facsimile*

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**VERIFIED STATEMENT PURSUANT TO FEDERAL RULE 2014(a)**

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I, Matthew R. Burton and Leonard, O'Brien, Spencer, Gale & Sayre, Ltd., 100 South Fifth Street, Suite 2500, Minneapolis, MN 55402 named in the application for employment on behalf of the above named bankruptcy estate, declare under penalty of perjury the following:

1. I do not hold or represent any interest adverse to the estate and am disinterested as required by 11 U.S.C. §327.

2. Said professional has disclosed to the undersigned that he has the following connections with the debtor(s), creditors, or any other party-in-interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the Office of the United States Trustee: None, except (a) Terri A. Running is the Trustee in this case; (b) the Firm represents the Trustee and other panel trustees in unrelated matters and (c) Brian Leonard of LOSGS is a panel trustee. Further, the Firm has represented creditor Textron Financial Corporation in the past in matters unrelated to this proceeding.

**LEONARD, O'BRIEN  
SPENCER, GALE & SAYRE, LTD.**

Dated: March 9, 2011

By: 

Matthew R. Burton, #210018  
100 South Fifth Street, Suite 2500  
Minneapolis, MN 55402  
(612) 332-1030

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

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**UNSWORN DECLARATION FOR PROOF OF SERVICE**

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I, Terri A. Running, declare that on the date indicated below, I served the following:

- (1) Application for approval of employment of attorney;
- (2) Verified statement pursuant to Federal Rule 2014(a);
- (3) Unsworn declaration for proof of service; and
- (4) Proposed order.

upon each of the entities named below, by electronic service or by mailing to each of them a copy thereof by enclosing same in an envelope with first class mail postage prepaid, and depositing same in the post office at Minneapolis, Minnesota, addressed to each of them as follows:

United States Trustee  
1015 U.S. Courthouse  
300 South 4<sup>th</sup> Street  
Minneapolis, MN 55415

GE Money Bank  
c/o Recovery Management Systems Corp.  
25 SE 2<sup>nd</sup> Avenue, Suite 1120  
Miami, FL 33131-1605  
Attn: Ramesh Singh

Profinium Financial, Inc.  
c/o Nauni Jo Manty  
Michelle K. Dove  
Jacqueline D. Kuiper  
Many & Associates, P.A.  
510 1<sup>st</sup> Ave N. Suite 305  
Minneapolis, MN 55403

And I declare under penalty of perjury that the foregoing is true and correct.

Date: March 10, 2011

/e/ Terri A. Running  
Terri A. Running

**UNITED STATES BANKRUPTCY COURT  
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**ORDER**

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The trustee's application to approve her employment of Leonard, O'Brien, Spencer, Gale & Sayre, Ltd. as her attorneys came before the court.

Based on the application, the recommendation of the United States Trustee and 11 U.S.C. §327,

IT IS ORDERED: the employment is approved.

Dated:

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Gregory F. Kishel  
Chief United States Bankruptcy Judge